

In re:

ANA T FIGUEROA ROMAN

Case No. 19-03969-BKT

Chapter 13

Attorney Name: IGNACIO GARCIA FRANCO\*

I. Appearances			Date & Time: 8/20/2019 1:21:00PM
Debtor	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> R <input type="checkbox"/> NR      LV: tbd
Joint Debtor	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> This is debtor(s) 1 Bankruptcy filing.
Attorney for Debtor	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Creditors:
[ ] Prose			
[X] Appearing: Melissa Torres Diaz Esq.			<u>Banco Popular de P.R. by Mr. Miguel Rivera</u>
II. Oath Administered			
[X] Yes      [ ] No			

## III. Plan

Date: 07/12/2019      Base: \$14,040.00      Payments 1 made out of 1 due.

Confirmation Hearing Date: 9/20/2019 2:30:00PM

Evidence of Pmt shown:

## Attorney's fees as per R. 2016(b)

\$490.00 - \$490.00 = \$0.00

## IV. Status of Meeting

 Closed       Not Held       Held/Continued Held/Not Closed Continued

Continued Date:

Comments:

 M.T.D. to be filed by Trustee: Debtor(s) failed to:  Appear:  Commence payments Keep payments current  does (do) not qualify as a debtor (§109): MTD Already filed, see Docket: Other:

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(Cont.)

## Trustee's Report on Confirmation

 FAVORABLE UNFAVORABLE

<input type="checkbox"/> Feasibility	<input type="checkbox"/> No provision for secured creditor(s)
<input type="checkbox"/> Insufficiently funded	<input type="checkbox"/> Tax returns missing
<input type="checkbox"/> Unfair discrimination	<input type="checkbox"/> State - years
<input type="checkbox"/> Fails disposable income	<input type="checkbox"/> Federal - years
<input type="checkbox"/> Fails liquidation value test	
<input type="checkbox"/> Insuarence quote	

## Pending/Items/ Documents:

<input type="checkbox"/> DSO Recipient's Information	<input type="checkbox"/> Monthly reports for the months
<input type="checkbox"/> Evidence of being current with DSO	<input type="checkbox"/> Public Liability Insurance
<input type="checkbox"/> Evidence of income	<input type="checkbox"/> Premises <input type="checkbox"/> Vehicle(s): <input type="checkbox"/> Licenses issued by:

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## Trustee's objection to confirmation

Objection to Confirmation  
 Oral objection by creditor

ACP: 3

Household size: 1

No taxable income for years 2015-2018

## FAILS LIQUIDATION VALUE TEST, §1325(a)(4):

a. Real property was disclosed in schedule A/B with a value of \$0.00 since debtor transferred her interest to former spouse in 2015 as part of the conjugal partnership.

It seems that as part of the liquidation of the conjugal partnership in 2015, debtor ceded her participation in the conjugal real property used as home to former spouse. In return, she received \$7,000.00 and a lot of land in Bo. Canaboncito.

Per evidence submitted, real property debtor transferred lot at Bo. Canaboncito, Caguas. Debtor received \$15,000.00 for the sale of the lot on January 2018.

SOFA, item #18 discloses the transfer made to Nomar Andre Torres Laboy (lot at Canaboncitos Ward, Caguas) on 1/16/2018; funds received \$15,000.

Her testimony at this 341, debtor avers that the lot of land was worth approximately \$95,000.00. She avers that she had an appraisal. She sold for said price since she states that she needed monies. From the \$15,000.00 of the sale she had to pay \$5,000.00 to CRIM.

Trustee is evaluation possible avoidance. Debtor is to provide the following:

Physical and postal address of Mr. Nomar Andre Torres Laboy.

Sales deed of real property of Bo. Canaboncito

Appraisal of real property of Bo. Canaboncito

## DOES NOT PROVIDE FOR SECURED CREDITOR, §1325(a)(5):

a. Plan has no provision for secured claim #1 by CRIM in the amount of \$508.02. (Collateral is for ppty. Located at Bo. Turabo, Caguas) Trustee notes that real property the one that was transferred to spouse.

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**OTHER:**

a. Creditor BPPR requests adequate protection.

**NOTE:**

\*\*\*Debtor's vehicle is currently insured and maturity date is on 1/29/2021. After that date, debtor will pay insurance directly.

The following party(ies) object(s) confirmation:

s/Pedro R Medina

Date: 08/20/2019

Trustee/Presiding Officer

(Rev. 05/13)